

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 15.09.2020

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
and
THE HONOURABLE MRS.JUSTICE R.HEMALATHA

W.P.No.33213 of 2019

D.Elangovan,
S/o.Late Dakshinamoorthy,
No.1E-97B, Pillaiyar Kovil Street,
Manappakkam,
Chennai - 600125.

... Petitioner

.. Vs ..

- 1.The Member Secretary,
Chennai Metropolitan Development Authority,
Gandhi Ervin Road,
Egmore, Chennai - 600 008.
- 2.The Commissioner,
Greater Chennai Corporation of Chennai,
Rippon Building,
Chennai - 600 003.
3. The Executive Engineer,
Greater Chennai Corporation of Chennai,
Zone - XII,
No.1, New Street,
Alandur - St.Thomas Mount,
Chennai - 600 016.
- 4.The Assistant Engineer,
Greater Chennai Corporation of Chennai,
Zone - XII, Ward No.157,
Manapakkam,
Chennai - 600 125.
- 5.The Assistant Engineer,
TANGEDCO, (Tamil Nadu Electricity Board),
Manapakkam Distribution Circle,
Ambedkar Nagar,
Manapakkam,
Chennai - 600 125.

6.M/s.Casa Grande Private Limited,
Rep.by its Director M.Arun Kumar,
No.111, 5th Floor, NPL Devi LB Road,
Thiruvannamiyur,
Chennai - 600 041.

... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 1st respondent to take appropriate action for illegal and unauthorized construction of the 6th respondent in S.No.235/2B1 and S.No.235/2B3 of Manappakkam Village, formerly Sriperumbudur Taluk and presently Alandur Taluk, Kanchipuram District by considering the petitioner's representations dated 25.02.2017 and 26.04.2018 forthwith.

For Petitioner :	Mr.A.Ilayaperumal
For R1 :	Mr.Karthik Rajan
For R2 to R4 :	Mr. K.Raja Shrinivas
For R5 & R6 :	No Appearance

ORDER

[Order of the Court was made by M.M.SUNDRESH,J.]

The petitioner has filed this writ petition by styling it as a Public Interest Litigation, seeking a direction to the respondent No.1 to take appropriate action on the alleged illegal construction made by the sixth respondent. As the representations of the petitioner dated 25.02.2017 and 26.04.2018 have not been considered, the present writ petition has been filed.

2. Heard Mr.A.Ilayapermal, learned counsel for the petitioner and Mr.Karthik Rajan, learned counsel appearing for the first respondent as well as Mr.K.Raja Srinivas, learned counsel appearing for respondent Nos.2 to 4. Though notice has been served on respondent Nos.5 and 6 and their names have been printed in the cause list, there is no representation on behalf of respondent Nos.5 and 6.

3. Taking into consideration the pendency of the aforesaid representations, we direct the respondent No.1 to look into the same and take appropriate action either by himself or through his subordinate officials, after giving opportunity to respondent Nos.5 and 6. Therefore, we are not in a position to go into the fact as to whether the petitioner bonafidely filed this writ petition as public interest litigation or not.

4. Accordingly, this Writ Petition is disposed of by directing the respondent No.1 to dispose of the aforesaid representations of the petitioner dated 25.02.2017 and 26.04.2018, within a period of eight weeks from the date of receipt of a copy of this order, after due notice to respondent Nos.5 and 6, either by himself or through his subordinate officials. As the said representations have been pending for more than 2 years, the petitioner is directed to enclose a copy of the representations along with this order. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

- 1.The Member Secretary,
Chennai Metropolitan Development Authority,
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Egmore, Chennai - 600 008.
- 2.The Commissioner,
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Chennai - 600 003.
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5.The Assistant Engineer,
TANGEDCO, (Tamil Nadu Electricity Board),
Manapakkam Distribution Circle,
Ambedkar Nagar,
Manapakkam,
Chennai - 600 125.

+1cc to Mr.K.Raja Shrinivas, Advocate Sr.30000
+1cc to Mr.A.Ilayaperumal, Advocate Sr.29953

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sv[co]
srg 16/10/2020